

IFW



Practitioner's Docket No. 1062/E13

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re application of: Dean Kamen, Charles M. Grinnell, Marc A. Mandro, Dennis Gilbreath, Kevin Lee Grant, Jason A. Demers, William T. Larkins, Robert Manning, and Richard J. Lanigan

Application No.: 10/803,049

Group No.: 3742

Filed: 03/16/2004

Examiner: Fastovsky, L.

For: Cassette and Method for Drug Preparation and Delivery

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

AMENDMENT TRANSMITTAL

1. Transmitted herewith is an amendment for this application.

STATUS

2. Applicant is other than a small entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

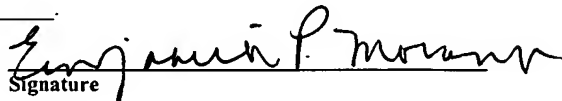
37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

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TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____


Signature

Date: September 30, 2004

Elizabeth P. Morano

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDIT. FEE	
TOTAL	3	- 22	= 0	x	\$ 18.00	= \$	0.00
INDEP.	1	- 4	= 0	x	\$ 88.00	= \$	0.00
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+	\$ 0.00	= \$	0.00
TOTAL						ADDIT. FEE	\$ 0.00

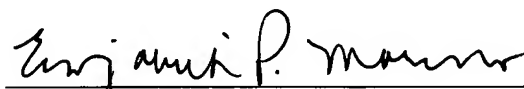
No additional fee for claims is required.

FEE DEFICIENCY

5. If an extension and/or fee is required, charge Account No. 19-4972.

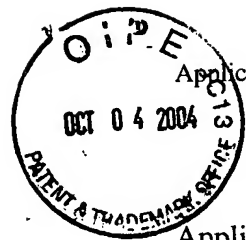
If any fee for claims is required, charge Account No. 19-4972.

Date: September 30, 2004



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01062/00E13 337385.1



Application No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kamen et al.

Att'y Docket: 1062/E13

App. No.: 10/803,049

Art Unit: 3742

Filing Date: March 16, 2004

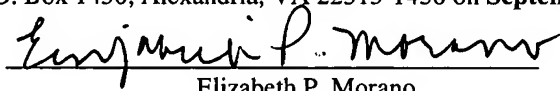
Examiner: Leonid M. Fastovsky

For: CASSETTE AND METHOD
FOR DRUG PREPARATION
AND DELIVERY

Date: September 30, 2004

CERTIFICATE OF MAILING

I hereby certify that this document, along with any other papers referred to as being attached or enclosed, is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on **September 30, 2004**.


Elizabeth P. Morano

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION IN ACCORDANCE WITH 35 U.S.C. §121

Dear Sir:

In response to the Office Action dated August 30, 2004, the applicant submits herewith an Election in accordance with 35 U.S.C. §121 and the following amendment.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.

Conclusion begins on page 7 of this paper.

02437/00103 321733.1